

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARK EDWIN ABRESCH,

Defendant.

CR-13-04-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on June 2, 2021. (Doc. 60.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on June 1, 2021. (Doc. 59.) The United States accused Abresch of violating his conditions of supervised release by possessing marijuana. (Doc. 48.)

At the revocation hearing, Abresch admitted to violating the conditions of his supervised release by possessing marijuana. (Doc. 59.) Judge Johnston found

that the violation Abresch admitted proved to be serious and warranted revocation, and recommended that Abresch receive a custodial sentence of 3 months with 57 months of supervised release to follow. (Doc. 60.) Abresch was advised of his right to appeal and his right to allocute before the undersigned. (Doc. 281.) The violations prove serious and warrant revocation of Abresch's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Amended Findings and Recommendations (Doc. 60) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Mark Edwin Abresch be sentenced to the custody of the United States Bureau of Prisons for 3 months, with 57 months of supervised release to follow.

DATED this 17th day of June, 2021.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United States District Court